



2614

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel A. Henderson Examiner:  
Application No: 10/033,824 Art Unit: 2614  
Filing Date: 12/19/2001  
Title: Method and Apparatus For Improved Personal Communication  
Devices and Systems  
Attorney Docket: H-114 (HEND-0024)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner of Patents & Trademarks, U. S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450 on Dec. 21, 2006

By: [Signature]  
Robert K. Tandler  
Reg. No.: 24,581  
Attorney for Applicant

Dear Commissioner:

INFORMATION DISCLOSURE STATEMENT

Applicant submits this statement in accordance to the duty of disclosure under 37 C.F.R. §1.56, 1.97, 37 C.F.R. §1.98, and MPEP 2001.06 (c) regarding Information from Related Litigation, and requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97: This Information Disclosure Statement is not filed within three (3) months of the filing date of a National Application, nor before the mailing date of a first office action on the merits. The \$180.00 fee for consideration of the IDS is provided.

Information Cited: The Applicant hereby makes of record in the above-identified application, information regarding related prior and pending litigation. It is noted that none of the litigation documents cited herein reflect any interim or final decision of any court regarding claim construction, patentability or infringement. The below-noted documents are submitted to completely satisfy Applicant's duty of candor.

Remarks: Applicant respectfully requests that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims; and,

2. The enclosed information relates to pending and present litigation. It is requested that the Examiner sign the cover sheet listing the documents in the litigation files to indicate that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Notwithstanding any statement by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Please enter in the above application and communicate in all related matters with the undersigned. All necessary fees are intended to be included, however the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees to deposit account No. 20-0449.

Date Dec. 21, 2006

Respectfully submitted,



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## SMART CALL v. SPRINT LITIGATION DOCUMENTS

1. Complaint
2. Summons
3. Civil Cover Sheet
4. Appearances
5. Local Rule 3.4 Notice Of Claims Involving Patent
6. Representation Letter
7. Agreed Motion For Enlargement Of Time To Respond To Complaint
8. Notification Of Affiliate Under Local Rule 3.2
9. Notification Of Docket Entry
10. Notification Of Docket Entry
11. Answer, Defenses, Counterclaims, and Jury Demand
12. Initial Status Report
- 12A. Initial Status Report
13. Plaintiff's Reply to Defendant's Answer, Defenses and Counterclaims
14. Transfer Of Case To the Executive Committee For a Reassignment
15. Notification Of Docket Entry
- 15A. Transfer Of Case To the Executive Committee For a Referral To Magistrate Judge
16. Notification Of Docket Entry, including Order Setting Initial Status Report For Cases Assigned to Judge Denlow
17. Letter to Judge Denlow from McDonnell Boehnen Hulbert & Berghoff LLP regarding representation, including Revised Initial Status Report
18. Letter from McDonnell Boehnen Hulbert & Berghoff LLP inclosing Agreed Scheduling Order
19. Notice Of Filing of Plaintiff's Amended Complaint
20. Docket Entry re: Status Hearing Held

21. Defendant's First Amended Answer, Defenses, Counterclaims, and Jury Demand
22. Notification Of Docket Entry – Status Hearing Re-set
23. Smartcall's First Request For the Production Of Documents (Nos. 1-82)
24. Smartcall's First Set of Interrogatories (Nos. 1-10)
25. Defendant Sprint Spectrum L.P.'s Notice Of Subpoena Duces Tecum
26. Letter from Wilmer Cutler Pickering Hale and Dorr re: Comverse Technology Inc. /PhoneTel Communications / SmartCall Licensing, Inc. – Entry of counsel for Comverse, Inc. re: Comverse Settlement Agreement
27. Plaintiff's Reply To Defendant's First Amended Answer, Defenses and Counterclaims
28. Defendant Sprint's First Set Of Requests For Production To Plaintiff SmartCall
29. Defendant Sprint's First Set Of Interrogatories To Plaintiff SmartCall (Nos. 1-14)
30. Sprint's First Preliminary List Of Claim Terms To Be Construed
31. SmartCall Preliminary List Of Claim Terms To Be Construed
32. Sprint's Response To SmartCall's First Request For Production Of Documents (Nos.1-82)
33. Plaintiff SmartCall's Answers and Objections To Defendant Sprint's First Set Of Interrogatories Nos. 1-14
34. Plaintiff SmartCall's Responses and Objections To Defendant Sprint's First Request For Production
35. Sprint's Response To SmartCall's First Set Of Interrogatories (Nos. 1-10)
  - 35A. Letter from McDonnell Boehnen Hulbert & Berghoff LLP notifying court of agreement to extend deadline for filing, including draft Order
36. Notice Of Electronic Filing Document No. 29 (Oversize Brief)
37. Notice Of Electronic Filing Document No. 28 (SmartCall's Opening Claim Construction Brief)
38. Notice Of Motion to present Oversize Brief and Unopposed Motion For Leave To File an Oversize Brief *Instante*
39. Defendant Sprint Spectrum LLP's Opening Claim Construction Brief

40. Subpoena to PhoneTel Communications to produce and permit inspection and copying of documents in Schedule A
41. Letter from McDonnell Boehnen Hulbert & Berghoff LLP re: consent to jurisdiction of court over either Markman hearing or entire case
42. Defendant Sprint Spectrum LP's Notice Of Subpoena Duces Tecum
43. Defendant Spring Spectrum LP's Notice Of Subpoena Duces Tecum
44. Unopposed Motion For Extension Of Time To File a Responsive Claim Construction Brief
45. Docket Entry: Defendant's Unopposed Motion For Extension Of Time
46. Notification Of Docket Entry re: Electronic Filing, Document No. 41
47. Notification Of Docket Entry re: Electronic Filing of Document No. 42
48. Stipulated Construction Of Certain Claim Terms
49. Notification Of Docket Entry re: Electronic Filing of Document No. 44
50. Notice Of Motion – SmartCall's Motion To Enforce Settlement and Memorandum In Support
51. Notification Of Docket Entry – Document No. 48
52. Sprint's Opposition To SmartCall's Motion To Enforce Settlement
53. Letter from Niro, Scavone, Haller & Niro enclosing courtesy copy of SmartCall's Reply In Support Of Its Motion To Enforce the Settlement
54. Stipulation To Dismiss
55. Docket Entry re: parties' stipulation to this case being dismissed with prejudice and without cause
56. Notice of Electronic Filing: Case Closed on 2/7/2006